

CALIFORNIA HOMEOWNERS

**DID A MORTGAGE BROKER PROMISE TO MODIFY YOUR LOAN
BUT FAIL TO DELIVER?**

**DID YOU PAY AN ADVANCE FEE TO A LOAN MODIFICATION
COMPANY AND WONDER WHAT THE HECK THEY DID FOR YOU?**

**IF YOU FEEL CHEATED, HOODWINKED, OR SCAMMED GIVE US
A CALL.**

**LICENSED REAL ESTATE BROKERS HAVE LEGAL GUIDELINES
AND RULES THAT THEY ARE REQUIRED TO ABIDE BY WHEN
THEY ARE PERFORMING LOAN MODIFICATIONS.**

**HERE IS A SHORT LIST OF THINGS CALIFORNIA REAL ESTATE BROKERS CAN AND CAN'T DO AND
THINGS THEY MUST DO IN ORDER TO PROPERLY ENGAGE IN THE LOAN MODIFICATION BUSINESS**

(1) **LOAN MODIFICATION FRAUD:** California Real Estate Brokers who make specific promises to you must have the intent to perform and fulfill those promises, the ability to fulfill those promises and must set forth to complete what they have promised to do as far as a loan modification is concerned. If they don't they are engaging in fraud. Fraud generally consists of making false promises that are intended to make other people rely (i.e. they are trying to induce you to give them your money) when they have no actual intent on performing the service. For example, if a California loan modification broker tells you "I will save your house from foreclosure, I am a licensed California Real Estate Broker.....loan modifications is my business.....give me \$2,000 up-front as an advance fee and I guarantee you I will modify your loan or my name isn't Billy T. Broker." If a real estate broker makes a claim like this and then runs off with your money without helping you modify your loan, prevent foreclosure or do anything else he has promised you, the real estate broker is engaged in a fraudulent business practice.

If you have a real estate broker defrauding you Contact Us IMMEDIATELY to INVESTIGATE AND PRESERVE YOUR LEGAL RIGHTS (877) 276-5084. Ask for Attorney Steve Vondran.

(2) **MISREPRESENTATION:** California Real Estate Brokers who are contacting homeowners by phone, fax, and email must not misrepresent the services they are going to provide. A broker must accurately inform you of what they intend to do and how they intend to do it. A misrepresentation may be intentional or negligent. For example, if a California licensed real estate broker says "We have attorneys on staff who will fight for you to save your home" or "we audit every loan file for truth in lending errors and RESPA violations" when in fact neither of these are the case, you have been lied to and may have an action for loan modification misrepresentation and/or loan modification fraud.

If a California Real Estate Broker has Lied and Misrepresented their services to you Contact Us IMMEDIATELY to INVESTIGATE AND PRESERVE YOUR LEGAL RIGHTS (877) 276-5084. Ask for Attorney Steve Vondran.

(3) **FALSE ADVERTISING:** All business people, whether engaged in the loan modification business, foreclosure prevention business, loss mitigation business or any other business is required by California Law to accurately and truthfully advertise their business. If a California Real Estate Broker is engaged in disseminating false and misleading advertising they are in violation of the law. For example, if a loan modification broker sends you written material that says "zero down to start your loan modification call us today." If you then call the foreclosure consultant or loan modification broker and they say "our fee to get started is \$500" the brokerage firm is engaged in false and misleading advertising and this can be grounds to file a civil lawsuit seeking damages and attorney fees.

If you feel you have been a victim of false advertising relating to loan modifications or foreclosure prevention or loss mitigation Contact Us IMMEDIATELY to INVESTIGATE AND PRESERVE YOUR LEGAL RIGHTS (877) 276-5084. Ask for Attorney Steve Vondran.

(4) ACCEPTING AN ADVANCE FEE FOR LOAN MODIFICATION WITHOUT A DRE APPROVED ADVANCE FEE AGREEMENT ON FILE WITH THE COMMISSIONER OF THE CALIFORNIA DEPARTMENT OF REAL ESTATE: Any licensed DRE (California Department of Real Estate) Broker who is engaged in the business of loan modifications or loss mitigation or foreclosure prevention as some call it, who collects an ADVANCE FEE from you to get started on your loan modification ABSOLUTELY MUST and is ABSOLUTELY REQUIRED to have an Advance Fee Agreement on file with the Commissioner of the California Department of Real Estate. Failure to do so can and probably will result in discipline of the real estate licensee (anything from having their license suspended to revoked). If you gave a California DRE Licensed broker money up-front to help you save your home or to perform a loan modification on your behalf, and if they were not successful or you are not sure what they did with your money, call us to see if you have any rights. We will check the DRE database to see if they are a licensed broker, then we will check to see if they have an Advance Fee Agreement in place with the Commissioner. If not, we will demand a 100% refund of all funds you paid them and seek damages for your time. Note: The word on the street is that the DRE Commissioner has NOT approved a whole bunch of these advance fee agreements, so there is a pretty good chance if you gave your money to a broker up-front, in advance to help you in a loan modification setting that the broker has violated the DRE Rules.

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(5) 100% Money-Back Guarantees Must Be Honored: What we are seeing in the loan modification business these days is California Brokers promising "we will modify your loan or you don't pay a thing" or another more casual way of putting it "no luck no buck." (ok i made that up I have to admit). If a California real estate broker has promised you a money-back guarantee then following your payment of the advance fee (which may be illegal as discussed in item #4 above) they failed to perform the service and failed to return your money, you have a cause of action against that broker for fraud, deceit, misrepresentation and false advertising among other things.

If you think a California Real Estate Broker has lied to you, tricked you, deceived you, or out-right ripped you off with a loan modification scam please contact us. I have worked hard to make the real estate business in California a honest and ethical profession. If there are brokers out there giving this profession and bad name and scamming you or giving you the con job these brokers should not be in business.

Contact Us IMMEDIATELY to have a lawyer INVESTIGATE AND PRESERVE YOUR LEGAL RIGHTS (877) 276-5084. Ask for Attorney Steve Vondran.

(6) THE NOTICE OF FORECLOSURE PROBLEM: As a homeowner, if you received a notice of default the law in California places VERY STRICT LIMITS ON CALIFORNIA REAL ESTATE BROKERS AND OTHERS who are governed by the California Foreclosure Consultant Act as set forth in the California Civil Code Section 2945. I have written another blog posting on this topic that you may want to read. The essence of this law is that once you as a homeowner receive a notice of default, NO CALIFORNIA LICENSED REAL ESTATE BROKER IS ALLOWED TO COLLECT OR CHARGE ONE PENNY FROM YOU. If they do they are in strict violation of the Foreclosure Consultant Law.

You should know that this is a very strong and very clear law with lots of legal teeth to it. For example, a California Broker (or other person licensed by the Act - for example a non-broker posing as some kind of foreclosure expert) who accepts any money from you after you have received a Notice of Foreclosure from your lender, is in violation of the law. Penalties cited in the act are \$10,000, Attorney Fees, Punitive Damages and even Jail Time. This is a very important piece of homeowner protection legislation. The State of California made a strong legislative statement that homeowners in foreclosure are in no condition to hand over fees, checks, money or to have their credit cards charged when they are facing the stress and pressures of facing a home foreclosure.

Simply put, if a California Broker, or other person or entity took money from you after you received a notice of default you are entitled to a full refund of all money you paid them as well as potentially recovering any other damages.

If you paid any money to any person after you received a Notice of Default Contact Us IMMEDIATELY to have a lawyer INVESTIGATE AND PRESERVE YOUR LEGAL RIGHTS (877) 276-5084. Ask for Attorney Steve Vondran. You cannot wait forever to file a lawsuit.

There are other legal rights that may be available to home owners who feel they have been cheated, violated, scammed, ripped off, lied to, tricked, deceived or defrauded. Contact an attorney familiar with the loan modification process to see what we can do for you. There is a need to weed out the bad brokers who give all the other good people in the profession a bad name.

CALL US TO SEE IF YOUR RIGHTS WERE VIOLATED AND IF YOU HAVE A RIGHT TO BE REIMBURSED FOR YOUR OUT OF POCKET COSTS AND/OR TO SEEK LEGAL DAMAGES, INCLUDING PUNITIVE DAMAGES, AGAINST UNSCRUPULOUS BROKERS WHO FAILED TO GET THE JOB DONE.

The Law Offices of Steven C. Vondran
**California Office: 620 Newport Center Drive Suite
1100
Newport Beach, California 92660**

(877) 276-5084

www.VondranLaw.com

Because most of our loan modification work, including demand for 100% return of your fees can be done, and is done, by phone fax and email between us and you and the broker who violated your rights we are able to serve our California clients in the following California Counties and Cities

Alameda
Albany
Berkeley
Dublin
Emeryville
Fremont
Hayward
Livermore
Newark
Oakland
Piedmont
Pleasanton
San Leandro
Union City
Amador
Amador City
Ione
Jackson
Plymouth
Sutter Creek
Chico
Gridley
Oroville
Paradise
Angels Camp
Colusa
Colusa
Williams
Antioch
Brentwood
Clayton
Concord

Danville
El Cerrito
Hercules
Lafayette
Martinez
Moraga
Orinda
Pinole
Pittsburg
Pleasant Hill
Richmond
San Pablo
San Ramon
Walnut Creek
Crescent City
Placerville
South Lake Tahoe
Clovis
Coalinga
Firebaugh
Fowler
Fresno
Huron
Kerman
Kingsburg
Mendota
Orange Cove
Parlier
Reedley
San Joaquin
Sanger
Selma
Orland
Willows
Humboldt
Arcata
Blue Lake
Eureka
Ferndale
Fortuna
Rio Dell
Trinidad
Imperial
Brawley
Calxico
Calipatria
El Centro
Holtville
Westmorland
Inyo
Bishop
Kern
Arvin
Bakersfield
California City
Delano
Kern County
Maricopa
McFarland
Ridgecrest
Shafter
Taft
Tehachapi
Wasco
Avenal
Corcoran
Hanford
Lemoore
Lake
Clearlake
Lakeport

Susanville
Los Angeles
Agoura Hills
Alhambra
Arcadia
Artesia
Azusa
Baldwin Park
Bell
Bell Gardens
Bellflower
Beverly Hills
Bradbury
Burbank
CalabasCarson
Cerritos
Claremont
Commerce
Compton
Covina
Cudahy
Culver City
Diamond Bar
Downey
Duarte
El Monte
El Segundo
Gardena
Glendale
Glendora
Hawaiian Gardens
Hawthorne
Hermosa Beach
Hidden Hills
Huntington Park
Industry
Inglewood
Irwindale
La Canada-Flintridge
La Habra Heights
La Mirada
La Puente
La Verne
Lakewood
Lancaster
Lawndale
Lomita
Long Beach
Lynwood
Malibu
Manhattan Beach
Maywood
Monrovia
Montebello
Monterey Park
Norwalk
Palmdale
Palos Verdes Estates
Paramount
Pasadena
Pico Rivera
Pomona
Rancho Palos Verdes
Redondo Beach
Rolling Hills
Rolling Hills Estates
Rosemead
San Dimas
San Fernando
San Gabriel
San Marino

Santa Clarita
Santa Fe Springs
Santa Monica
Sierra Madre
Signal Hill
South El Monte
South Gate
South Pasadena
Temple City
Torrance
Vernon
Walnut
West Covina
West Hollywood
Westlake Village
Whittier
Chowchilla
Madera
Marin
Belvedere
Corte Madera
Fairfax
Larkspur
Mill Valley
Novato
Ross
San Anselmo
San Rafael
Sausalito
Tiburon
Mariposa
Mendocino
Fort Bragg
Point Arena
Ukiah
Willits
Merced
Atwater
Dos Palos
Gustine
Livingston
Los Banos
Merced
Modoc
Alturas
Mono
Mammoth Lakes
Monterey
Carmel
Del Rey Oaks
Gonzales
Greenfield
King City
Marina
Monterey
Pacific Grove
Salinas
Sand City
Seaside
Soledad
Napa
American Canyon
Calistoga
Napa
St. Helena
Yountville
Nevada
Grass Valley
Nevada City
Truckee
Orange

Anaheim
Brea
Buena Park
Costa Mesa
Cypress
Dana Point
Fountain Valley
Fullerton
Garden Grove
Huntington Beach
Irvine
La Habra
La Palma
Laguna Beach
Laguna Hills
Laguna Niguel
Lake Forest
Los Alamitos
Mission Viejo
Newport Beach
Orange
Placentia
San Clemente
San Juan Capistrano
Santa Ana
Seal Beach
Stanton
Tustin
Villa Park
Westminster
Yorba Linda
Placer
Auburn
Colfax
Lincoln
Loomis
Rocklin
Roseville
Plumas
Portola
Riverside
Banning
Beaumont
Blythe
Calimesa
Canyon Lake
Cathedral City
Coachella
Corona
Desert Hot Springs
Hemet
Indian Wells
Indio
La Quinta
Lake Elsinore
Moreno Valley
Murrieta
Norco
Palm Desert
Palm Springs
Perris
Rancho Mirage
Riverside
San Jacinto
Temecula
Folsom
Galt
Isleton
Sacramento
San Benito
Hollister

San Juan Bautista
San Bernardino
Adelanto
Apple Valley
Barstow
Big Bear Lake
Chino
Chino Hills
Colton
Fontana
Grand Terrace
Hesperia
Highland
Loma Linda
Montclair
Needles
Ontario
Rancho Cucamonga
Redlands
Rialto
Twentynine Palms
Upland
Victorville
Yucaipa
Yucca Valley
San Diego
Carlsbad
Chula Vista
Coronado
Del Mar
El Cajon
Encinitas
Escondido
Imperial Beach
La Mesa
Lemon Grove
National City
Oceanside
Poway
San Marcos
Santee
Solana Beach
Vista
San Francisco
San Joaquin
Escalon
Lathrop
Lodi
Manteca
Ripon
Stockton
Tracy
Arroyo Grande
Atascadero
Grover Beach
Morro Bay
Paso Robles
Pismo Beach
San Luis Obispo
San Mateo
Atherton
Belmont
Brisbane
Burlingame
Colma
Daly City
East Palo Alto
Foster City
Half Moon Bay
Hillsborough
Menlo Park

Millbrae
Pacifica
Portola Valley
Redwood City
San Bruno
San Carlos
San Mateo
South San Francisco
Woodside
Santa Barbara
Buellton
Carpinteria
Guadalupe
Lompoc
Santa Barbara
Santa Maria
Solvang
Santa Clara
Campbell
Cupertino
Gilroy
Los Altos
Los Altos Hills
Los Gatos
Milpitas
Monte Sereno
Morgan Hill
Mountain View
Palo Alto
San Jose
Santa Clara
Saratoga
Sunnyvale
Santa Cruz
Capitola
Santa Cruz
Scotts Valley
Watsonville
Shasta
Anderson
Redding
Shasta Lak
Sierra
Loyalton
Siskiyou
Dorris
Dunsmuir
Etna
Fort Jones
Montague
Mount Shasta
Tulelake
Weed
Yreka
Solano
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Sonoma
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Healdsburg
Petaluma
Rohnert Park
Santa Rosa
Sebastopol
Sonoma

Windsor
Stanislaus
Ceres
Hughson
Modesto
Newman
Oakdale
Patterson
Riverbank
Turlock
Waterford
Sutter
Live Oak
Yuba City
Tehama
Corning
Red Bluff
Tehama
Trinity
Tulare
Dinuba
Exeter
Farmersville
Lindsay
Porterville
Tulare
Tulare
Visalia
Woodlake
Tuolumne
Sonora
Ventura
Camarillo
Fillmore
MoorpaOjai
Oxnard
Port Hueneme
Santa Paula
Simi Valley
Thousand Oaks
Ventura
Yolo
Davis
West Sacramento
Winters
Woodland
Yuba
Marysville
Wheatland

This is an advertisement and communication pursuant to State Bar Rules. The Law Offices of Steven C. Vondran is licensed in California and Arizona. We only seek to represent clients in these states.